

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

ABDULSAMAD RETHALAH,

Plaintiff,

v.

UNITED STATES CITIZENSHIP AND  
IMMIGRATION SERVICE,

Defendants.

Case number 07-14558

Honorable Julian Abele Cook, Jr.

ORDER

On October 25, 2007, the Plaintiff, Abdulsamad Rethalah, acting without the benefit of an attorney, filed this lawsuit in which he alleged that the Defendant, the United States Citizenship and Immigration Service (“USCIS”), had delayed the adjudication of his application for a change of his immigration status without justification. On February 21, 2008, the USCIS filed a motion, requesting that the Court remand Rethalah’s complaint so that it could complete a review of his application for naturalization, including a necessary name check. However, before this motion could be resolved, the USCIS filed another motion in which it asked the Court to dismiss the case because his application for naturalization had been completed. Thus, it is the belief of the USCIS that its resolution of this issue obviates the necessity for any further involvement by the parties because there is no longer any existing case or controversy before the Court.<sup>1</sup> In addition, the USCIS has withdrawn its motion to remand.

On May 7, 2008, Magistrate Judge Donald Scheer, to whom this matter had been referred

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<sup>1</sup>The Defendant attached notice of Rethalah’s naturalization ceremony as Exhibit A to its motion to dismiss.

for an evaluation, submitted a report in which he recommended that the Court grant the USCIS' motion to dismiss, inasmuch as the ultimate relief sought by Rethalah (namely, the adjudication of his naturalization application) has been secured.

The Court, having reviewed the record in this cause, finds that the pending motion to dismiss by the USCIS is warranted, inasmuch as there are no longer any issues in controversy between the parties. Accordingly, the Court will, and does (1) adopt the recommendation of Magistrate Judge Scheer, and (2) grant the USCIS' motion to dismiss for reasons of mootness.

IT IS SO ORDERED.

Dated: September 8, 2008  
Detroit, Michigan

s/ Julian Abele Cook, Jr.  
JULIAN ABELE COOK, JR.  
United States District Court Judge

Certificate of Service

I hereby certify that on September 8, 2007, I electronically filed the foregoing with the Clerk of the Court using the ECF system, and I further certify that I mailed a copy to the non-ECF participant(s).

s/ Kay Alford  
Courtroom Deputy Clerk